

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

ANDREA FORMAN, on behalf of herself and  
all others similarly situated,

Plaintiff,

v.

PYOD, LLC, RESURGENT CAPITAL  
SERVICES L.P., AND SHERMAN  
FINANCIAL GROUP, LLC,

Defendants.

Civil Action No.:

**NOTICE OF REMOVAL**

Defendants PYOD, LLC, Resurgent Capital Services, L.P., and Sherman Financial Group, LLC (“Defendants”), by and through their attorneys, Gordon & Rees LLP, respectfully says:

1. Plaintiff Andrea Forman (“Plaintiff”) commenced the above-captioned action on or about June 1, 2016, by filing a Summons with Notice in the Supreme Court of the State of New York, Suffolk County, captioned *Andrea Forman, on behalf of herself and all others similarly situated v. PYOD, LLC, Resurgent Capital Services, L.P., and Sherman Financial Group, LLC*, (the “Summons with Notice”). Said action is now pending in that Court.

2. The Summons with Notice was served upon Defendant by mail service upon the Defendants’ registered agent on or about September 22, 2016.

3. A copy of the Summons with Notice is annexed hereto as **Exhibit A**.

4. The above-captioned action is a civil case over which this Court has jurisdiction pursuant to 28 U.S.C. § 1331, in that:

a. The above-captioned action is a civil action arising under federal laws;

- b. Plaintiff alleges that Defendant violated multiple provisions of the Fair Debt Collection Practices Act, 28 U.S.C. § 1692 *et seq.*;
- c. Therefore, this Court has federal question jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331, which may properly be removed to this Court pursuant to 28 U.S.C. § 1441.

5. This Notice of Removal is filed within the time provided by 28 U.S.C. § 1446(b) and the Federal Rules of Civil Procedure.

6. Upon the filing of this Notice of Removal, Defendants shall give written notice thereof to Mitchel S. Pashkin, Esq., counsel for Plaintiff, and Defendants shall file copies of said Notice and Notice of Filing of Removal with the Court Clerk, Supreme Court of the State of New York, Suffolk County.

7. By filing this notice, Defendants do not waive any defenses which may be made available to them, specifically including, but not limited to, improper service and the absence of venue in this Court or in the Court from which this action has been removed.

WHEREFORE, Defendants respectfully request<sup>2</sup> that the Court remove the above-captioned action now pending against it in the Supreme Court of the State of New York, Suffolk County, to the United States District Court for the Eastern District of New York, wherein it shall proceed as an action originally commenced therein.

GORDON & REES LLP  
*Attorneys for Defendants PYOD, LLC, Resurgent  
Capital Services, L.P., and  
Sherman Financial Group, LLC*

By: \_\_\_\_\_

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Dated: Florham Park, New Jersey  
October 19, 2016